

# **MASSACHUSETTS 1998 GUN CONTROL ACT**

## **Misdemeanor Conviction Disqualifier for FID cards and LTC's**

Under Massachusetts law, misdemeanors punishable by imprisonment for more than two years<sup>1</sup> include the following offenses<sup>2</sup>:

### *Crimes Against the Person:*

Assault (c. 265, § 13A)  
Assault & Battery (c. 265, § 13A)  
A&B on Public Employee (c. 265, § 13D)  
A&B on Ambulance Personnel (c. 265, § 13I)  
Permitting Injury to a Child (c. 265, § 13J)  
Gross Negligence by Common Carrier (c. 265, § 30)  
A&B/Property Damage to Intimidate (c. 265, § 39)  
Causing Injury in a Physical Exercise Program (c. 265, § 40)  
Resisting Arrest (c. 268, § 32B)

### *Crimes Against Property*

False Statement to Insurer (c. 266, § 11B)  
Failure to Report Hotel Fire (c. 266, 13A)  
Larceny from Common Carrier/Business (c. 266, § 30(1))  
Larceny Under \$250 from Elder/Disabled Person (c. 266, § 30(5))  
Shoplifting Over \$100 (c. 266, § 30A)  
Falsely Obtaining Commercial Computer Service(c. 266, § 33A)  
Receipt of Deposit by Insolvent Bank (c. 266, § 54)  
Receiving Stolen Property Under \$250 (c. 266, § 60)  
Obstruction of Medical Facility - Subseq. Offense (c. 266, § 120E)  
Wanton Destruction Property Over \$250 (c. 266, § 127)  
Destruction Church/School Property (c. 266, § 127A)  
Destruction Jail Property (c. 266, § 130)

### *Motor Vehicle Offenses:*

Operating after Suspension for OUI/MVH, etc. (c. 90, § 23)  
Operating Under the Influence (c. 90, § 24(1)) - AFTER MAY 1994  
Motor Vehicle Homicide While OUI and OTE (c. 90, § 24G(b))  
OUI with Serious Bodily Injury (c. 90, § 24L(2))  
OUI on a Vessel (c. 90B, § 8(a))  
OUI on a Vessel With Serious Bodily Injury (c. 90B, § 8A(1))  
Homicide by Vessel While OUI and OTE (c. 90B, § 8B(2))

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<sup>1</sup> Excluding weapons related and controlled substance offenses, which are disqualifiers on a separate basis.

<sup>2</sup> Please note that this list may not be exhaustive. When in doubt, reference should be made to the current version of the relevant statute.